

9 OCTOBER 2000

NEW FOREST DISTRICT COUNCIL

Minutes of a meeting of the New Forest District Council held at Appletree Court, Lyndhurst on Monday, 9 October 2000

- p Cllr A W Rice TD - Chairman
- p Cllr Miss P A Drake - Vice-Chairman

Councillors:

- e Mrs S M Abernethy
- p K F Ault
- p K E Austin
- E R Bowring
- p F J Bright
- p Mrs D M Brooks
- p D S Burdle
- p W R Catt
- p J E Coles
- p D E Cracknell
- p P H Cummings
- p B D Dash
- e J J Dawson
- p W H Dow
- p T J Droogleever
- p L T Dunsdon
- p B C Earwicker
- p M H G Fidler
- p R L Frampton
- p Ms C F Gradidge
- p P C Greenfield
- e R C H Hale
- p L E Harris
- p F R Harrison
- p S A Hayes
- p J D Heron
- e Mrs M D Holding
- p Mrs A M Howe

Councillors:

- p J M Hoy
- e Mrs M Humber BA
- p J A G Hutchins JP
- p M J Kendal
- e M C Kidman
- p G N D Locock
- p Mrs B M Maynard
- p Mrs M McLean
- p G K Richardson
- p B Rickman
- p Mrs M J Robinson
- p B Rule
- p T M Russell
- e D N Scott
- p M J Shand
- e S A Shepherd
- p Mrs B Smith
- p Mrs L P Snashall
- p G Spikins
- p M H Thierry
- p D B Tipp
- p J Waddington
- p M S Wade
- p S S Wade
- p Mrs D Wood
- p C A Wise
- p P R Woods
- p Mrs P A Wyeth

Officers Attending:

D Yates, K Ireland, Mrs L Malcolm, Ms J Bateman, M Devine, Mrs P Higgins, J Mascal, Ms G O'Rourke and Mrs R Rutins.

23. MINUTES.

That, subject to:-

- (a) Cllr Spikins being recorded as present;
- (b) Minute 15 – Housing Committee – Page 6 – (a) paragraph 2, second sentence being amended to read “he enquired whether the subsidy of leased housing that he had been requesting since September 1999, particularly in the Ringwood and Fordingbridge areas, was being actively pursued”; and

- (c) Minute 20 – Notice of Motion, paragraph 3 – the words “and to vote” being inserted after the word “participate”,

the minutes of the meeting held on 17 July 2000, having been circulated, be signed by the Chairman as a correct record.

24. CHAIRMAN’S ANNOUNCEMENTS.

(a) Round the Houses – Gardening Competition

The Chairman reported on the results of the Round the Houses Gardening Competition run annually for all Council tenants. The overall standard this year had been very high.

The Chairman had great pleasure in presenting the prize for the Community Gardens section to Mrs Blythe of Barfields Court. Barfields Court was a warden run scheme and the Chairman commented that the residents were very lucky to have had Mrs Blythe to tend their communal gardens.

The Chairman was also delighted to present the prize for the Children’s Garden section to Shannon Sultana for her flower collection grown from seed and expertly looked after.

The Chairman congratulated the winners and commented that he was sure they would be an inspiration to others in the future.

(b) Mr J S Hall – Gardener, Appletree Court

The Chairman reported that Mr Hall had left the authority on Friday, 22 September after over 17 years as the gardener maintaining the grounds at Appletree Court and the Town Hall.

Mr Hall’s love of gardening and his attention to detail was there for all to see and enjoy. Mr Hall always found time to help anyone who required assistance with a gardening problem and regularly contributed to the Council’s “In-House” magazine and “Round the Houses” newspaper with a special column on gardening hints and tips.

Mr Hall had been involved for many years on the judging panel of the Hythe and Dibden In Bloom Competition and was well respected by the organisers for his knowledge and skill of gardening.

All members of the Council joined the Chairman in wishing Mr Hall every success in his new job and every happiness to him and his fiancée Nancy for their future together. Members placed on record a special thank you to Mr Hall for the excellent service he had given the Council over the past 17 years.

(c) Mr D Cashman

The Chairman informed the members of the Council of the recent achievement by Mr D Cashman one of the Council's Arboricultural Officers.

In 1999 the Council supported Mr Cashman's application to study for the Royal Forestry Society's Professional Diploma in Arboriculture.

Within the Arboricultural profession the exam was notorious for the difficulty of achieving success. This year only half of those sitting the written examine achieved a pass and altogether 19 hopefuls went forward to take the practical exercise. Mr Cashman was one of only 10 to gain the diploma this year. His results were classified as outstanding by the examiners.

Through a partnership of support by the Council and hard work on his part, Mr Cashman had gained a significant professional qualification which would add authority to his representations on behalf of this Council.

Members joined the Chairman in congratulating Mr Cashman on his outstanding achievement.

(d) Jeans for Genes Day

The Chairman reported that on Friday, 6 October Council employees took part in the National Jeans for Genes Day, an appeal to raise money to fund vital research into Genetic Disorders.

The Chairman congratulated employees who raised £275 by dressing down for the day.

(e) Mr B Ainslie – Olympic Gold Medallist

The Chairman reported with great pleasure that the British Olympic Team had returned triumphant from Sydney with 11 Gold, 10 Silver and 7 Bronze Medals.

On behalf of all members and officers the Chairman had sent congratulations to 23 year old sailing hero Mr Ainslie of Lymington. Mr Ainslie was the Gold Medallist in the Laser Class. Members joined the Chairman in congratulating Mr Ainslie on his outstanding achievement.

(f) Cllr Ben Rule

The Chairman reported with great pleasure that Cllr Rule had recently announced his engagement to Miss Tracy Sampson.

Members and officers joined the Chairman in offering their warmest congratulations to Cllr Rule and his fiancée.

25. POLICY AND RESOURCES COMMITTEE.

The Chairman of the Committee presented the report of the meeting held on 26 September 2000 together with amendments notified to all members of the Council by letter dated 6 October.

In moving the report the Chairman made the following statement in connection with the Public Participation arrangements for the Dibden Bay applications.

‘During discussion at Policy and Resources Committee of the public participation arrangements for the Dibden Bay Applications, it came to light that a recent publication by ABP called ‘The Dibden Terminal – Meeting the Strategic Need’ contained the logo of the Southampton & Fareham Chamber of Commerce & Industry, under the heading ‘Support for the Dibden Bay Proposal’. This Council is a member of the Chamber. Members of the Committee unanimously agreed that a letter should be sent to the Chamber to express our concern that the Chamber in expressing their support in this way, could send out the wrong message to members of the public and to other members of the Chamber, that this Council likewise supports the proposal. As all members will know, this Council has not made its views known one way or another and will not do so until it has considered the documentation which accompanies the Applications.

A letter clarifying our position has been sent to the Chamber and to ABP so that no one can be in any doubt as to the position of this Council.’

On the motion that the report be received:-

(a) Item 2 – New Political Structure – Government’s Modernising Agenda

A number of members expressed concern that the proposed draft constitution did not limit the number of Chairmanships that any one member could hold.

It was moved and seconded as an amendment that any one member should be limited to holding the Chairmanship of only one committee or Portfolio Performance and Review Panel.

Members then debated the issue. It was noted that currently an individual member was limited to holding the Chairmanship of one committee. Some members commented that under the new proposals the volume of work would be such that it would not be appropriate for one member to hold more than one chairmanship.

The Leader of the Council reported that further guidance on the matter was still awaited from the Government and the issue would be considered again at the next Modernisation Working Party.

Upon a vote the amendment was lost.

A member referred to Standing Order No. 56.1 of the Council’s new Constitution and expressed the view that non partisan debate would need to be encouraged at Policy and Performance Review Panels.

In response to a question enquiring whether monitoring of use of the Internet by councillors was a breach of the Human Rights Act, the Chief Executive reported that the Council's Solicitors were satisfied that the Council's policies and procedures did not constitute a breach of the Human Rights Act.

In response to a question, the Chairman of the Committee reported to the Council that the following members had been appointed as Advisory Cabinet/Portfolio Holders:-

Policy and Strategy – Cllr Hayes
Crime and Disorder – Cllr Cummings
Economy and Planning – Cllr Droogleever
Environment – Cllr Waddington
Finance and Support – Cllr Kendal (and appointed Deputy Leader)
Housing – Cllr Greenfield
Leisure – Cllr Rickman

In addition the Leader of the Opposition Group gave notice that the Liberal Democrat Group had nominated the following Shadow Cabinet:-

Policy and Strategy – Cllr Robinson
Crime and Disorder – Cllr M S Wade
Economy and Planning – Cllr Harrison
Environment – Cllr Shepherd
Finance and Support – Cllr Dash
Housing – Cllr Smith
Leisure – Cllr Dawson

A member commented that in order for the Opposition to be fully involved and to be able to perform their roles properly full access to information was needed and he hoped that this would be readily available to them.

The Chairman responded that the Council's new Constitution made sufficient provision for all members to have the information they required in order to perform their role. He hoped that it would enable the opposition to perform a much more worthwhile role in future. Portfolio members would be answerable to Portfolio Performance and Review Panels and as such the new system would be far more transparent and accountable than previously. The Chairman of the Committee reiterated that the Council was entering a six month pilot project and the mechanisms were available in the Constitution to enable any necessary amendments to be made. He also confirmed that the Advisory Cabinet would meet in public.

A member commented that it would be helpful for the Cabinet and Policy and Resources Committee to meet in the Council Chamber to enable all members of the Council to attend if they so wished.

RESOLVED:

That the report be received and the recommendations adopted, subject to the following amendment of the recommendations appearing under Item 2 – Final Draft Constitution:

1. ITEM 2 (ii) - Final Draft Constitution

Recommendation (a)

Add at the end of recommendation (a) -

"and subject to the following further amendments -

(i). Page 213 - Schedule 8 - Protocol - Urgent decisions outside Policy and/or Budget

Amend paragraph 1.2 by the addition of the words in bold italics -

"1.2 This Protocol describes the procedures to be followed where a decision which does not comply with Council policy ***or budget*** or is contrary to or not wholly in accordance with ***policy and*** budget, is required urgently."

(ii) Page 242 - Schedule 15 - Terms of Reference - Portfolio Performance and Review Panels

Amend paragraph 2(i) by the addition of the words in bold italics -

"(i) To prepare an annual programme of reviews each year ***for approval by the Council.***"

(iii) Page 248 - Protocol - Portfolio Performance and Review Panels - Operational Rights and Rights of Access to Information

Amend the first paragraph of 3.1(d) by the deletion of the words "for information" in the last line.

(iv) Page 262 - Annex 3 to Schedule 19 - Terms of Reference of General Purposes and Licensing Committee

Amend paragraph 1 a by the addition of the words shown in bold italics

- a Where there is a right to be given the opportunity to appear before and be heard by a Committee or Sub-Committee of the Council, ***through a Panel of up to five members of the Committee as determined by the Head of Legal and Democratic Services*** to hear and determine such cases as are referred to the Committee.

(v) Page 273 - Schedule 21 - Standing Orders for Meetings

Amend Paragraph 1 (Interpretation) to include

"Committee" means any Committee appointed by the Council.

Amend paragraph 3.2 (page 275) by the addition of the words shown in bold italics -

Industrial Relations Committee - ***8 members from Employers' Side and a similar number from the Employees' Side.***

Add further recommendation (e)

- "(e) That the Policy & Resources Committee, on the recommendation of the Advisory Cabinet, be authorised to agree any minor re-drafting or amendments to the Constitution to give proper effect to it during the interim arrangements, but that any significant recommendations for amendments be submitted to the Council for approval."

2. ITEM 2(v) - Interim Structures

Add the following further recommendations (c) and (d) -

- "(c) That Standing Orders for Meetings (Schedule 21 of the Constitution) apply to Policy & Resources Committee in the same way as to other Committees referred to in the Standing Orders.
- (d) Any Review Board member appointed to a Review Board to conduct a further review of a housing benefit or council tax benefit matter prior to the implementation of the new structures on 31 October 2000, be give full powers to carry out their duties under the legislation, regardless of whether the actual Review Board Hearing takes place before or after 31 October 2000."

26. APPOINTMENT OF COMMITTEES AND PANELS (PAPER C).

The Chief Executive reported that the nominations of the political groups had been received and circulated to all members of the Council.

It was noted that:-

- (1) The Independent Group did not wish to take up a place on the Policy and Resources Committee;
- (2) The Liberal Democrat Group had given up places on the Environment and the Leisure Policy Performance and Review Panels to the Independent Group; and
- (3) The Conservative Group had given up one place on the Standards Committee to the Independent Group.

It was moved, seconded and

RESOLVED:

That the members nominated by the Political Groups, as detailed in Appendix 1 to these minutes, be appointed to the Committees and Panels as indicated.

27. APPOINTMENT OF REPRESENTATIVES ON OUTSIDE BODIES.

Members reviewed some of the Council's appointments, made by office, to outside bodies in view of the fact that those offices would cease when the new political structures came into operation on 31 October 2000.

In reviewing the appointments some members sought assurances that representatives who were appointed would attend meetings of those outside bodies. They considered that if two representatives were appointed to an outside body then both representatives should attend meetings. All appointments should be filled to ensure maximum representation of the interest of the Council on outside bodies regardless of political party.

The Chairman of the Policy and Resources Committee responded that the representatives appointed to outside bodies ensured that the Council remained well respected. It was important to ensure that the voice of the authority was heard and this did not necessarily imply that all representatives needed to attend every meeting. However, the Chairman commented that, where appropriate, when a nominated representative was unable to attend another member would be requested to attend in their place.

RESOLVED:

That the following appointments be agreed:-

Outside Body	Representative
Association of Hampshire and Isle of Wight Local Authorities	Cllr Hayes Cllr Kendal
New Forest Tourism Management Committee	Cllr Hutchings Cllr Frampton
Solent Water Quality Conference	Cllr Waddington
South East Employers Organisation	Cllr Hayes Cllr Kendal
South East England Regional Assembly	Cllr Hayes Cllr Kendal
Standing Conference on Oil and Gas Development in the English Channel	Cllr Hayes Cllr Kendal

28. DATES AND TIMES OF MEETINGS OF THE COUNCIL.

In considering the dates and times of meetings of the Council members noted that it might be necessary to amend the date of the Annual meeting scheduled for 14 May 2001 to facilitate the introduction of the new structures in their final form. The Advisory Cabinet and the Policy and Resources Committee would consider the options later during the pilot period.

RESOLVED:

That Council meetings be held on Mondays at 6.30 p.m. on:-

30 October 2000

8 January 2001

26 February 2001

23 April 2001

14 May 2001 (Annual Meeting)

CHAIRMAN

(CL091000)

Policy and Resources Committee

Conservative Group Nominations

Burdle	Rice
Cummings	Rickman
Droogleever	Scott
Greenfield	Waddington
Hayes	Wise
Kendal	

Liberal Democrat Group Nominations

Coles	Shepherd
Dash	Smith
Dawson	M S Wade
Hale	S S Wade
Robinson	

Appeals Committee

Abernethy	Heron
Ault	Holding
Burdle	Kendal
Cummings	Scott
Drake	Wise
Hayes	

Conservative Group Nominations

Liberal Democrat Group Nominations

Gradidge	Maynard
Harrison	Richardson
Humber	Shepherd
Locock	Smith

Independent Group Nominations

Cracknell

General Purposes and Licensing Committee

Conservative Group Nominations

Abernethy	Frampton
Ault	Hoy
Brooks	Scott
Catt	Woods
Dow	

Liberal Democrat Group Nominations

Fidler	Locock
Harris	Smith
Howe	M S Wade

Independent Group Nominations

Bowring

Industrial Relations Committee

Conservative Group Nominations

Droogleever	Holding
Greenfield	Waddington
Hayes	

Liberal Democrat Group Nominations

Fidler	Robinson
Harris	

Planning Development Control Committee

Conservative Group Nominations

Ault	Droogleever
Bright	Holding
Burdle	Scott
Catt	Woods
Dow	Wyeth
Drake	

Liberal Democrat Group Nominations

Coles
Earwicker
Fidler
Gradidge

Hale
Harris
Harrison
Maynard

Independent Group Nominations

Bowring

Standards Committee

Conservative Group Nominations

Holding
Hoy

Tipp
Wise

Liberal Democrat Group Nominations

Hale
Robinson

Snashall

Independent Group Nominations

Spikins

Corporate and Finance Portfolio Performance and Review Panel

Conservative Group Nominations

Heron
Kidman
Scott

Thierry
Tipp
Wise

Liberal Democrat Nominations

Dash
Robinson

Snashall
S S Wade

**Crime and Disorder Portfolio Performance and Review
Panel**

Conservative Group Nominations

Abernethy
Austin
Dow

Holdings
Russell
Tipp

Liberal Democrat Group Nominations

Howe
McLean

Shand
M S Wade

**Economy and Planning Portfolio Performance and Review
Panel**

Conservative Group Nominations

Ault
Bright
Burdle

Drake
Holdings
Wyeth

Liberal Democrat Group Nominations

Dunsdon
Earwicker

Gradidge
Harrison

Environment Portfolio Performance and Review Panel

Conservative Group Nominations

Abernethy
Brooks
Drake

Hoy
Hutchins
Woods

Liberal Democrat Group Nominations

Dunsdon
Shepherd

Smith

Independent Group Nominations

Spikins

Housing Portfolio Performance and Review Panel

Conservative Group Nominations

Holding
Kidman
Rule

Russell
Wood
Wyeth

Liberal Democrat Group Nominations

McLean
Humber

Richardson
Shand

Leisure Portfolio Performance and Review Panel

Conservative Group Nominations

Brooks
Catt
Frampton

Heron
Hoy
Hutchins

Liberal Democrat Group Nominations

Coles
Dawson

Richardson

Independent Group Nominations

Cracknell